

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CLAUDETTE MACK, Plaintiff, VS. P/O JEFF MANNINGS, Defendant.	: : : : : : : :	CIVIL ACTION No. 02-3916
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ORDER

AND NOW, this ____ day of April, 2003, upon consideration of Defendant's request for an Offer of Proof, it is hereby Ordered that such motion is **GRANTED**. Plaintiff shall provide an Offer of Proof as to all evidence that plaintiff seeks to introduce in Rebuttal to Defendant's case-in-chief.

BY THE COURT:

JOYNER, J.

**IN THE UNITED STATES DISTRICT COURT
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CLAUDETTE MACK, Plaintiff, VS. P/O JEFF MANNINGS Defendant.	: : : : : : : : :	CIVIL ACTION No. 02-3916
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DEFENDANT’S’ MOTION FOR AN OFFER OF PROOF

Defendant hereby moves this Honorable Court for the entry of an order requiring plaintiff to provide an offer of proof as to all evidence that plaintiff will seek to introduce as Rebuttal to defendant’s case-in-chief. In support thereof, defendant avers as follows:

1. Plaintiff put on her case-in-chief on April 29, 2003, and rested her case-in-chief after calling plaintiff Claudette Mack as a witness.
2. On April 29, 2003, defendant began putting on his case-in-chief. It is anticipated that defendant will conclude his case-in-chief on May 1, 2003 during the morning session.
3. At the conclusion of proceedings on April 29, 2003 (after the jury was excused), plaintiff indicated that she anticipates calling rebuttal witnesses.
4. Defendant requests that plaintiff provide an offer of proof as to all witnesses to be called and exhibits to be introduced during plaintiff’s rebuttal case.
5. Defendant makes this request so that defendant will have the opportunity to raise appropriate objections to the proposed rebuttal witnesses and/or documents, and to avoid unfair surprise.

WHEREFORE, defendant respectfully requests that this Court enter an Order requiring plaintiff to provide an Offer of Proof as to any and all evidence to be introduced in Rebuttal to defendant's case-in-chief.

Respectfully submitted,

Dated: April 30, 2003

LYNNE A. SITARSKI
Deputy City Solicitor
City of Philadelphia, Law Department
1515 Arch Street, 14th Floor
Philadelphia, Pennsylvania 19102
(215) 683-5446

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CLAUDETTE MACK,
Plaintiff,
VS.
P/O JEFF MANNING and
P/O RUSSELL,
Defendants.

: **CIVIL ACTION**
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 : **No. 02-3916**
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CERTIFICATE OF SERVICE

I hereby certify that on this date, a true and correct copy of the foregoing Motion for an Offer of Proof was served upon counsel for plaintiff via fax at the following address:

Alan Yatvin, Esquire
230 S. Broad Street, Suite 503
Philadelphia, PA 19102

BY: _____
LYNNE A. SITARSKI
Deputy City Solicitor
1515 Arch Street., 14th Floor
Philadelphia, PA 19107
(215) 683-5446

DATED: April 30, 2003